

# **DISTRICT I ADVISORY BOARD AGENDA**

**March 6, 2017, 6:30 p.m.**

Atwater Neighborhood Resource Center  
2755 E. 19<sup>th</sup> St. N., Wichita, KS 67214

## **ORDER OF BUSINESS**

Call to Order

Approval of agenda for March 6, 2017

Approval of minutes for February 6, 2017

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### **Public Agenda**

Board will hear public issues from individual citizens regarding City issues not scheduled on the agenda. Each presentation is limited to five minutes unless extended by the Board.

#### **1. Scheduled Items**

Janet Green will present information concerning extension of City Council Member positions.

#### **2. Off Agenda Items**

Individuals present that did not request to speak prior to the meeting may speak at this time.

### **Staff Reports**

#### **3. Fire Report**

**Fire Department** will provide information on activity in the District I community.

**Recommended Action:** Receive and file

#### **4. Police Report**

**Police Department** will provide information on activity in the District I community.

**Recommended Action:** Receive and file

#### **5. Library Report**

**Library staff** will provide information on activity in the District I community.

**Recommended Action:** Receive and file

#### **6. Park & Recreation Report**

**Park & Recreation staff** will provide information on activity in the District I community.

**Recommended Action:** Receive and file

### **New Business**

#### **7. Request for Resolution of Support for Application for Housing Tax Credits (Rushpointe II)**

**John Hall, Housing and Community Services Department, will present this information.**

The proposed Rushpointe II housing project is to be developed at 124 W. 10th Street and 6908 E. 32nd Street North. According to the applicant, the proposed project will include a total of 24 housing units. The project will provide for eight apartment suites within a newly constructed building at 124 W. 10th Street, and 16 apartment suites within two newly constructed buildings at 6908 E. 32nd Street North, designed for individuals with disabilities.

**Recommendations/Actions:** It is recommended that the District Advisory Board approve a recommendation for adoption of the Resolution of Support for the HTC application, waiving the 20% market-rate unit requirement.

**8. CON2016-00047 LC Limited Commercial (GO) subject to Protective Overlay PO #134**

**Dale Miller, Metropolitan Area Planning Department, will present this request.** The applicant is requesting an amendment to Protective Overlay #134 (“PO” #134) on the undeveloped LC Limited Commercial (“LC”) zoned property located on the southeast corner of East Central Avenue and North Vassar Avenue. Provision B. of PO #134 states that:

- B. Even though the property is zoned LC, the property would be restricted to uses permitted by right in the Neighborhood Retail (“NR”) district as follows: single-family; duplex; multi-family; accessory apartment; assisted living; church; day care, limited and general; library; utility, minor; automated teller machine; bed and breakfast inn; medical service; office, general; parking area, commercial; agriculture; personal care service; personal improvement service and a restaurant that exceeds 2,000 square feet. No sound amplification systems for projecting music or human voice shall be permitted on the property. No menu or order boards are permitted. Drive-through service is permitted but is restricted to a pick-up window only.

The applicant proposes to allow a sound amplification systems for projecting the human voice and an outdoor menu board, which is prohibited in PO #134, thus the proposed amendment. The result of the proposed amendment would be a drive-through restaurant. The applicant’s elevation shows the restaurant as being one of several tenants of a commercial strip building.

On December 5, 2016, District Advisory Board (DAB) I reviewed the request. As at MAPC, there were neighbors present who spoke in opposition and raised concerns cited above. The action of DAB I was to recommend approval 8-3 provided the applicant and the neighbors could reach agreement on the neighbors’ concerns. The two parties were not able to reach an agreement; therefore, the request is scheduled for DAB I reconsideration on March 6, 2017.

**RECOMMENDATION:** There has been no change to the development pattern in the area located east of the Hillside – Central Avenues intersection since the 2012 zoning case, ZON2012-00014. The proposed amendment disrupts that development pattern by proposing a more intense commercial use into an established and well maintained single-family residential neighborhoods.

Based upon information available prior to the public hearings, planning staff recommends that the request for the amendment that would allow a restaurant with an order board and a sound amplification system for projecting the human voice allowing drive through service be DENIED based on 5 findings.

However, if the MAPC finds the proposed amendment to allow a sound amplification systems for projecting the human voice and an outdoor menu board for a drive-through restaurant appropriate they must provide findings to support the amendment.

**9. CON2016-00064 LC Limited Commercial and B Multi-Family to Conditional Use to build ancillary, off-street parking for redeveloped commercial buildings on East Douglas.**

**Dale Miller, Metropolitan Area Planning Department, will present this request.** The applicant is requesting a Conditional Use to build ancillary, off-street parking for two redeveloped commercial buildings on property zoned LC Limited Commercial and B Multi-Family. The site is located on the north side of the alley north of the 2200 block of East Douglas Avenue. The redeveloped properties are located at 2202 East Douglas Avenue and 114 North Madison Avenue. The commercial buildings are contributing structures in the Ash Grove Historic District and are listed in the Register of Historic Kansas Places and the National Register of Historic Places.

Residential uses developed with single-family residences are located north of the subject property. Property to the east and west are zoned LC Limited Commercial and are developed with one- and two-story commercial brick buildings. South of the site is East High School zoned LC and SF-5 Single-Family Residential.

**RECOMMENDATION:** Based on information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

1. The site shall be developed and maintained in general conformance with the approved site plan, and in conformance with all applicable regulations, including but not limited to: licensing requirements, building, fire and utility regulations or codes.
2. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VII hereof, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

**10. CON2017-0001 SF-5 Single Family District to Conditional Use for a Wireless Communication Facility (temporary) Dale Miller, Metropolitan Area Planning Department, will present this request.** The applicant is requesting a Conditional Use to allow the placement of a 65-foot temporary cell tower for Verizon Wireless. The subject property is zoned SF-5 Single Family (SF-5) and is located at the Chester Lewis Learning Center, 1847 North Chautauqua Street. The Unified Zoning Code requires a Conditional Use for a wireless communication tower in the SF-5 District.

The applicant points out that Verizon Wireless had antennas located on a tower at Wichita State University, east of North Hillside Avenue, and south of East 17th Street North. Verizon was asked to vacate the tower as the university is planning on removing the structure. The school district is working with Verizon to construct a new tower at the Chester Lewis Center. Verizon Wireless will locate all their apparatus on this new tower upon its completion.

In the interim period, Verizon Wireless has requested approval of this Conditional Use to permit a temporary cell tower on wheels for a period not to exceed one year. When the new tower on the school district property is complete, Verizon will remove the temporary cell tower on wheels.

The character of the surrounding area is primarily residential. Surrounding zoning consists of TF-3 Two Family and SF-5 Single Family. The Chester Lewis Learning Center and Tabernacle Bible Church are institutional uses in this area.

**RECOMMENDATION:** Based upon the information available prior to the public hearings, planning staff recommends that the request be **APPROVED** subject to 4 conditions.

## **Board Agenda**

### **11. Updates, Issues and Reports**

Opportunity is provided for the Council Member and the District Advisory Board members to report any activities, events, or concerns in the neighborhoods and/or Council District.

**Recommended Action:** Receive and file

The next DAB I meeting will be held at 6:30 p.m., April 3, 2017, at the Atwater Neighborhood Resource Center, 2755 E. 19<sup>th</sup> St. N., Wichita, KS 67214.

## **Adjourn**